



November 5, 2010

Water Docket, Environmental Protection Agency
Mailcode: 28221T
1200 Pennsylvania Avenue, North West
Washington, DC 20460

Re: Docket ID No. EPA-R03-OW-2010-0736
"Draft" Chesapeake Bay TMDL
Moshannon Valley Joint Sewer Authority
Rush Township, Centre County, PA

Ladies and Gentleman:

On behalf of the Moshannon Valley Joint Sewer Authority (hereinafter "Authority") and in response to the presentation by your staff at the public hearing on October 19, 2010 at the State College Knights of Columbus on Stratford Drive, I present herein my comments on the Draft Chesapeake Bay TMDL's, dated September 22, 2010.

The Authority is currently designing the improvements to their Regional Water Pollution Control Facility (hereinafter "Plant") anticipated to cost \$14.7 million. This project is being implemented because of the Chesapeake Bay Tributary Strategy biological nutrient limits being imposed upon the Authority through its "draft" NPDES permit.

The proposed backstop biological nutrient removal limits of 3 mg/l for Nitrogen and 0.1 mg/l for Phosphorus will require the Authority to add approximately \$7 million to the already expensive project. The Authority is opposed to these backstop limits.

With the requirement for the non-point sources being required to carry their share of the Chesapeake Bay TMDL's, the dynamics of nutrient trading will likely become more costly as this type of nutrient credit will be available at a higher price.

The Authority believes that all point sources are carrying a disproportionate share of the Chesapeake Bay "pollution diet" and recommends that Environmental Protection Agency look to the following non-point sources for nutrient pollution reduction:

- Over fertilization of lawns and landscaping
- Over fertilization of country clubs and parks
- Manure generated from fish and migratory birds
- Actual results from agricultural best management practices (BMP's)
- On-lot sewage disposal systems
- Forest/forestry
- Dairy agricultural feeding operations
- Abandon strip mine operations

Telephone (814) 946-4859

Fax (814) 942-1175

Email tmlevine@atlanticbb.net

At the public hearing on October 19, 2010, we heard that the federal government has set aside approximately \$20 billion annually for agricultural projects to reduce the nutrient load on the Chesapeake Bay. There was no mention of any funding for point sources such as the Authority. We strongly recommend that federal funding be appropriated for point sources (i.e., the Authority).

The Authority also recommends that only the non-point sources not be included in the backstop. The non-point sources are responsible for the majority of the nutrient and sediment load to the Chesapeake Bay and should start to carry their share of the "pollution diet".

The Authority is deeply concerned that the population within their service area cannot financially sustain the costs associated with their current biological nutrient removal project. There is no possible way for the service area to afford any additional treatment improvements or credit purchases being discussed as part of the draft Chesapeake Bay TMDL.

The biological nutrient removal requirements of the Chesapeake Bay have squeezed the Authority for all that it has and then some. The Environmental Protection Agency needs to look nationally for the financial resources necessary to implement this "Draft" Chesapeake Bay TMDL if there is any chance for success.

Very truly yours,

Thomas M. Levine, P.E.

TML/lrl

cc: Moshannon Valley Joint Sewer Authority